IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No.78366-M of 2006

DATE OF DECISION:01.2.2007

Rakesh Kumar Jain .....Petitioner

Versus

State of Haryana .....Respondent

CORAM:- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present:- Shri Rakesh Verma, Advocate
for the petitioner.

Shri Partap Singh, Sr. DAG, Haryana.

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The petitioner has filed this petition under Section 439 Cr.P.C. for the grant of regular bail in case FIR No. 599 dated 15.10.2006 under Section 7 and 10 of Essential Commodities Act and under Sections 420/467/468/471/120-B IPC added later on, registered at Police Station City Fatehbad.

I have heard counsel for the parties and gone through the contents of the FIR.

The aforesaid FIR was registered on the statement of one Mange Ram, who alleged to have purchased fertilizer from the said firm, for which no bill was issued.

Counsel for the petitioner contends that son of the petitioner, namely, Rohit Kumar, who is in judicial custody, is the proprietor of the said firm and the petitioner has nothing to do with the running of the said business. Counsel further contends that the petitioner is in custody since 12.11.2006 and the alleged offences are to be tried by the Magistrate. Till date, even challan has not been filed. Trial is not going to conclude soon.

In view of the above factual position, I deem it appropriate to

grant regular bail to the petitioner and he is accordingly ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of trial Court/Duty Magistrate.

February 01, 2007 **(SATISH KUMAR MITTAL)**
pooja **JUDGE**